BILL NO. Z-80-03- 26

ZONING MAP ORDINANCE NO. Z- 19-80

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AN ORDINANCE amending the City of Fort Wayne Zoning Map No. U-18.

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BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

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SECTION 1. That the area described as follows is hereby designated a BlB District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. U-18, referred to therein, established by Section 33-11, of said Chapter are

Part of the East half of the Northeast Ouarter

of Section 33, Township 31 North, Range 13 East, in Allen County, Indiana, more particularly de-

Commencing at the Southeast corner of the East 1/2 of the Northeast 1/4 of Section 33, Township 31 North, Range 13 East, Allen County, Indiana; thence West along the South line of said 1/4 section, 30.0

feet to a point on the West right of way line of Maplecrest Road; thence North along the West right

of way line of Maplecrest Road and parallel to the East line of the E 1/2 of the NF 1/4 of Sec. 33-31-13, a distance of 150.0 feet to the point of beginning for the tract of land herein described; thence continuing North along the West right of way line of Maplecrest Road and parallel to the East line of said 1/4 section, a distance of  $175.2\ {\rm feet};$ 

thence West by a deflection angle left of 90 degr. a distance of 204.91 feet; thence Southeasterly by a deflection angle left of 102 degr. 16 min. 45 sec. a distance of 180.05 feet; thence East by a deflection angle left of 77 degr. 58 min. 15 sec. and parallel to the South line of said 1/4 section, a

distance of 166.62 feet to the place of beginning,

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor

hereby changed accordingly, to wit:

scribed as follows:

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30 31 32 and legal publication thereof.

containing 0.75 acres.

Approved as to form and legality March 14, 1980.

John E. HOFFMAN City Attorney

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Read the first seconded by by title and referr Plan Commission for due legal notice, a Indiana, on	ed to the Crecommendat the Counc	ull and or , and dr ommittee tion) and il Chambe: , the	n motion by aly adopted, Public Heari rs, City-Coun	read the s (a ng to be h ty Buildin	econd time nd the City eld after g, Fort Wayne, day of
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STIER	75/4				
TALARICO	1100				
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1980, at the hour	of	0'			_
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			WINFIELD C. M	OSES, JR.	

# BILL NO. Z-80-03-26

REPORT OF	THE COL						
E, YOUR COMMITTEE ON REGU	LATIONS			MILON N	(AC T	ומששש	זור חשר
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RDINANCE amending the	City of	Fort	Wayne	Zoning	Hap	No.	U-18
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ACK TO THE COMMON COUNCIL TO BEN EISBART, CHAIRMAN JOHN NUCKOLS, VICE CHAIRMAN	HAT SAID			J. D.		-	
ACK TO THE COMMON COUNCIL TO BEN EISBART, CHAIRMAN JOHN NUCKOLS, VICE CHAIRMAN JAMES S. STIER	HAT SAID			J. D.		-	
AVE HAD SAID ORDINANCE UNDE ACK TO THE COMMON COUNCIL T. BEN EISBART, CHAIRMAN  JOHN NUCKOLS, VICE CHAIRMAN  JAMES S. STIER  SAMUEL J. TALARICO  DONALD J. SCHMIDT	HAT SAID			J. D.		-	

#### RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 25, 1980, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-80-03-26; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on April 21, 1980;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

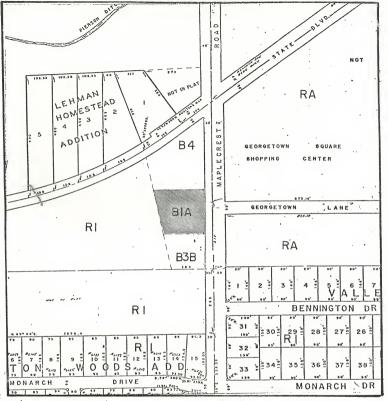
This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held April 28, 1980.

Certified and signed this 27th day of May 1980.

Tw. Jape Scalatter

Joyce Schlatter Secretary

RECEIPT Received From \_ Dollars \$ 50.02 AMT, PAID



REQUEST TO CHANGE FROM BIA TO BIB ZONING

Map No. U-18

7-80-03-26

N



Findlay Ohio 45840 Telephone 419/422 2121

May 15, 1980

Fort Wayne City Plan Commission City-County Building One Main Street Fort Wayne, IN 46802

Attention: Mr. Gary F. Baeten,

Senior Planner

RE: Bill No. Z-80-03-26 Rezoning from "B-1-A" to "B-1-B"

Dear Mr. Baeten:

Please be advised that our company will comply with the conditions attached to the "DO PASS" recommendation given by the City Plan Commission on the above-captioned ordinance. Accordingly, we do hereby agree to:

- Install sufficient buffering along the west side of the property to protect adjacent uses; and
- 2. Restrict access to the property to one location.

Such conditions will be incorporated in the construction plans for the subject property.

Very truly yours,

MARATHON OIL COMPANY

W. E. Spears, Manager Marketing Real Estate

PETITION FOR ZON	ING ORDINANCE A	AMENDMENT	Receipt No		
			Date Filed		
		* • • •	Intended Use _		
XX/We		OIL COMPANY			
do hereby petiti Fort Wayne, Indi to a kan	ana, by reclass	sifying fro	m a/xaxox B-1A	Distri	ct ws:
Part of the East ha	lf of the Northeas	t Quarter of	Section 33, Townsh	ip 31 North, F	Range
13 East, in Allen C	ounty, Indiana, mo	re particular	ly described as fo	llows:	
Commencing at the S	outheast corner of	the East ½ c	of the Northeast 4	of Section 33	,
Township 31 North, R	ange 13 East, Alle	n County, Ind	liana; thence West	along the Sout	th line
of said ¼ section, 3	0.0 feet to a poin	t on the West	right of way line	of Maplecrest	t
Road; thence North a	long the West righ	t of way line	of Maplecrest Roa	d and parallel	l to
the East line of the (Legal Descripti					
(General Descrip XX/We, the unders percentum (51%)  MARATHON OIL COMPANY	igned, certify or more of the	that XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX	We are the owned described in the	is petition.	
By: John VanderPloë	g, Real Estate Rep	resentative	/	b Vandu	Hosep
(Name) (If additional s		ddress & Z		(Signatur	re)
Legal Descriptio					
NOTE FOLLOWING R	ULES				
All requests for advisement shall Development and of the City Plan If the request f time, the matter shall be the oblowners which the has been postpo of the meeting a of the ordinance vote on the ordi	Planning, by no Commission at or a continuance will not be puigation of the Plan Commissioned or reschedut which the ords must be made	which the which the or advisation the appetitioner on had notified and indicate will in writing	Wednesday prece- ordinance is to ement is filed water genda for the maton notify the state fied by mail the form them of the l be considered prior to the P	ding the med be consider within the reting. It same proper at the hear etime and p. All without the constant the time and p. All without the constant the constan	eting red. required ty ing place drawals
Name and address	of the prepare	r, attorne	y or agent.		

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning and Zoning (CITY PLAN COMMISSION) / Room # 830, City-County Building, One Main Street / Fort Wayne, Indiana 46802 (Phone: 423-7571)

Fort Wayne, Indiana 46802 (Address & Zip code) 432-7559

(Telephone Number)

John VanderPloeg

(Name)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be resolving (continued)
point of beginning for the tract of land herein described; thence continuing North along
the West right of way line of Maplecrest Road and parallel to the East line of said ½
section, a distance of 175.2 feet thence West by a deflection angle left of 90 degr.
a distance of 204.91 feet; thence West by a deflection angle left of 90 degr.
2 distance of 201.21 Sees; thence Southeasterly by a deflection angle left of 102 degr.
16 min. 45 sec. a distance of 180.05 feet; thence East by a deflection angle left of
77 degr. 58 min. 15 sec. and parallel to the South line of said 3 section, a distance
of 166.62 feet to the place of beginning, containing 0.75 acres.
Owners of Property

(Address & Zip Code)

(Name)

(Signature)

TITLE OF ORDINANCE Zoning Ordinance Amendment	3-80-03-26
DEPARTMENT REQUESTING ORDINANCE Long Range	e Planning & Zoning - CD&P
	mately 175' x 204', more or less,
containing 0.75 acres located approximately 300	' south of East State Blvd., and
west of Maplecrest Road.	
-	
Y	
EFFECT OF PASSAGE Property is now zoned B-1-A	- Limited Business. Property
will become B1B - Limited Business. (B1B allow	s uses with a higher generation
of traffic, density factor is higher, etc.)	
EFFECT OF NON-PASSAGE Property will remain Bl	A - Limited Business.
MONEY INVOLVED (Direct Costs, Expenditures, Savings)	
	.5
ASSIGNED TO COMMITTEE (J.N.) Regulat	Time
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## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802 city plan commission

27 May 1980

Members of the Common Council City-County Building One Main Street Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held April 28, 1980. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance.

- 1. Bill No. Z-80-03-26
- 2. From B-1-A to B-1-B
- 3. Intended Use: Not Given
- 4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation with the following conditions:

- a. The property shall install sufficient buffering along the west side of the property to protect adjacent uses.
- b. The access to the property shall be restricted to one location.

NOTE: The petitioners have sent a letter of agreement to the above stated conditions. The letter is attached to the original ordinance and a copy is on file in the Plan Commission Office.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten Senior Planner

GFB:pb

Attachments



## OFFICE OF THE CITY CLERK'

# THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING . ONE MAIN STREET . FORT WAYNE, INDIANA 46802

charles w. westerman, clerk -:- room 122

July 3, 1980

Ms. Virginia Grace Fort Wayne Newspapers, Inc. 600 West Main Street Fort Wayne, IN 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of July 8, 1980 and July 15, 1980, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council of Fort Wayne, IN

Bill No. Z-80-03-26 Zoning Map Ordinance No. Z-19-80

Please send us six copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman City Clerk

ules W. Western

CWW/ne ENCL: 1

### LEGAL NOTICE

Notice is hereby given that on the 24th day of June, 1980, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. Z=80-03-26 — Zoning Map Ordinance No. Z=19-80, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. U-18

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. Z-80-03-26 — Zoning Map Ordinance No. Z-19-80, was passed by the Common Council on the 24th day of June, 1980, said Ordinance was signed and approved by the Mayor on the 2nd day of July, 1980, and now remains on file and on record in my office.

Copies of Bill No. Z-80-03-26 -- Zoning Map Ordinance No. Z-19-80 will be posted for reading in the following places in Fort Wayne, Allen County, Indiana.

- (1) The main fl-or lobby of the City-County Building
- (2) The bulletin board in the lobby of the Downtown Fort Wayne Public Library
- (3) The bulletin board in the lobby at the East door of the Allen County Court House

Copies of Bill No. Z-80-03-26 -- Zoning Map Ordinance No. Z-19-80 will be available for reading in the following places in Fort Wayne, Allen County, Indiana.

- (1) Reference Room in the north end of the main floor in said Downtown Public Library
- (2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana: (Links W. Wulemann

Charles W. Westerman

City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana fufilled and posted the above ordinances in the designated places as stated on July 8, 1980

Charles W. Westerman

City Clerk

1 1		2 1		
Form Prescribed by Sta	nte Board of Accounts		Gene	ral Form No. 99 P (Rev. 1967
	yne Common Council		ToJOURNALG	AZETTE D
Allen	County, Ind.	~ ~	FORT WAYNE	INDIANA
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	HARGES			
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has been paid.	e foregoing account is just and correct, o	nat the amount claimed is i		$\sim$
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	Public Library  (3) The bulletin board in the lobby 12  y 2  at the East door of the Allen County	ppeared before me, a	notary public in and for sa	id county and state, the
	(3) The bulletin board in the lobby ally a at the East door of the Allen County Court House. Copies of Bill No. Z. 90.03.26 — Zon. Signed. ing Map Ordinance. No. Z. 19.90 will be available for reading in the fol-z is lowing places in Fort Wayne, Allen County, Indiana.	ARVILLA	A DEWALD LERK	who, being duly sworn, sa
	lowing places in Fort Wayne, Allen County, Indiana.	OURNAL-GAZETTE		OI UX
	(1) Reference Room in the north end of the main floor in said Down- town Public Library	DAILY	newspaper of general ci	rculation printed and published
ATTACE	end of the main floor in said Down town Public Library  (2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indi-	n language in the city town of	FORT WAYNE, INDIAN	Α
ADVERTIS			that the printed matter attach	ed hereto is a true copy,
is hereby given that on the	filled and posted the above ordi-	ly published in said paper f	or two times	the dates of publication being
of June, 1980, the Common of the City of Fort Wayne, In- in Regular Session did pass	nances in the designated places as stated on July 8, 1980 CHARLES W. WESTERMAN City Clerk	7/9	9 - 7/16/80	CEDITION .
owing Bill No. Z-80-03-26 — Map Ordinance No Z-19-80, AN ORDINANCE amending	7-9-16		2	D. V.
of Fort Wayne Zoning Map 8 arles W Westerman, Clerk of			16 th Mulla	La Maled
y or Fort Wayne, Indiana do certify that Bill No. Z-80-03-26 ing Map Ordinance No. Z-19-	Subscribed an	d sworn to before me this	- How	19 80
he 24th day of June, 1980, said nce was signed and approved Mayor on the 2nd day of July,	My commissi.	on expires Septem	Notary nber 28, 1983	Public wes
nd now remains on file and on in my office. es of Bill No. Z-80-03-26 — Zon- an Ordinance No. Z-19-80 will	1-1, Commission			•

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Form Prescribed by State Board of Accounts Fort Wayne Common C	ouncil		eneral Form No. 99 P(Rev. 1967)
(Governmental Unit)	Ouncil	ToNEWS-SEN	TINEL Dr.
Allen		FORT WAYNI	E, INDIANA
	ounty, ind.		
	PUBLIS	HER'S CLAIM	
LINE COUNT			
Display Matter (Must not exce of the type in which th	ed two actual lines, neither one body of the advertisement	of which shall total more than four solid lines is set) – number of equivalent lines	
Head number of lines			
Body number of lines			51
Tail number of lines			2
Total number of line	es in notice		53
COMPUTION OF CHARGES			
		53 .2534	. 13.41
53 lines, cents per line	columns wide equals	53 equivalent lines at •253¢	\$
Additional charge for notices co	ontaining rule or tabular wor	k (50 per cent of above amount)	
Charge for extra proofs of publi	ication (50 cents for each pro	of in excess of two) 4 extra	2.00
TOTAL AMOUNT O	OF CLAIM.		s 15.41
DATA FOR COMPUTING COST			
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Number of insertions2	Siz	e of quad upon which type is cast6	
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I hereby certify that the foregoing account is judge been paid.	ust and correct, that the amou	unt claimed is legally due, after allowing all just cre-	dits, and that no part of the same
		A Rom	e.
Tu.1 16 90			
Date July 16 19 80		Title	ERK
Notice is hereby given that on the 24th day of June, 1985, the Common Carlon (1985), the Common Carlon (1985), the Common Carlon (1985), the Carlo	State of Indiana	ER'S AFFIDAVIT	
diana, in Regular Session did pass the tollowing Bill No. Z-80-03-26 — Zoning Map Ordinance No. Z-19-80,	ALLEN County SS: Personally appeared b	efore me, a notary public in and for s	said county and state, the
the City of Fort Wayne Zoning Map No. U-18.	undersigned	D. Roose	who, being duly sworn, say
i, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. Z-80-03-26	that she isNEWS-SI	CLERK	of the
Zoning Map Ordinance No. Z-19- 80, was passed by the Common Council on the 24th day of time 1990 said.		Y newspaper of general c	irculation printed and published
Ordinance was signed and approved by the Mayor on the 2nd day of July, 1980, and now remains on tile and on		n the city of FORT WAYNE, INDIAN	
Copies of Bill No. Z-80-03-26 — Zon- ing Map Ordinance No. Z-19-80 will RE be posted for reading in the following places in Fort Wayne, Allen County,		aforesaid, and that the printed matter attac	
Indiana. (1) The main floor lobby of the City-County Building	which was duly published as follows:	d in said paper for two times	,the dates of publication being
(2) The bullentin board in the lobby of the Downtown Fort Wayne Public Library (3) The bulletin board in the lobby at the Fast door of the Allen County		7/9 - 7/16/80	- STATE
		7) (12	202
Copres of Bill No. Z-80-03-26 — Zon- ing Map Ordinance No. Z-19-80 will be available for reading in the fol- lowing places in Fort Wayne, Allien	Subscribed and sworn to		ly 19 80
County, Indiana.  (1) Reference Room in the north		Ham	Rublic O had
town Public Library  (2) The Journal of the Common Council Proceedings in the Office of	My commission expires	September 28, 1983	Maplica May
charles W. Westerman			27,
City Clerk  1, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana ful.  R. Illied and posted the above ordi- nances in the designated places as stated on July 8, 1980.  CHARLES W. WESTERMAN City Clerk			
7—9-16 City Clerk			